

RECEIVED  
CENTRAL FAX CENTER

DEC 10 2004

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter John BURNS

Serial No.: 10/089,359

Group No.: 3764

Filed: June 10, 2002

Examiner: M. Brown

For: A MOUTHGUARD

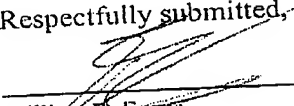
Attorney Docket No.: U 013949-3

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450REQUEST TO ACKNOWLEDGE AMENDMENT

The Action of November 16, 2004, does not consider the Amendment of September 9, 2004.

The Applicant regrets that the new scanning procedure of the Patent Office prevents prompt delivery to the Examiner, but the Patent Office should assume responsibility for its own rules. Therefore, consideration of the Amendment is requested.

Respectfully submitted,

  
William R. Evans  
c/o Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, New York 10023  
Reg. No. 25858  
Tel. No. (212) 708-1930CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

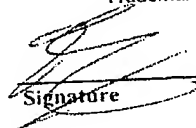
I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

## FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office to (703) 872-9306

  
Signature

William R. Evans

(type or print name of person certifying)

Date: December 9, 2004